

SHER TREMONTE LLP

February 12, 2024

BY ECF

The Honorable Alvin K. Hellerstein
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

So ordered
2.22.24
Alvin K. Hellerstein

Re: *United States v. Manuel Pimenteo*, 13-CR-58 (AKH)

Dear Judge Hellerstein:

We represent Manuel Pimentel in connection with his pending violation of supervised release. As Your Honor is aware, a revocation hearing is scheduled for February 29, 2024. In advance of this hearing, we respectfully request that Your Honor so-order the United States Probation Department ("Probation") to produce records regarding Mr. Pimentel's treatment at the TRI Center.

On September 18, 2023, Probation filed an Amended Violation Report, adding a seventh specification relating to Mr. Pimentel's alleged failure to participate in outpatient substance abuse treatment, and citing his alleged discharge from TRI Center on September 13, 2023.¹ The defense files this letter motion to obtain materials relevant to this specification. Accordingly, the defense requests that the Court so-order Probation to produce records reflecting Mr. Pimentel's treatment at TRI Center, including but not limited to, the following:

- All records reflecting Mr. Pimentel's initial intake assessment at TRI Center, that began on or around October 18, 2022, including the recommendation that Mr. Pimentel not receive treatment;
- All records reflecting Mr. Pimentel's second intake assessment at TRI Center that began on or around June 13, 2023;
- All records reflecting Mr. Pimentel's alleged discharge from TRI Center on or around September 13, 2023, including but not limited to records reflecting efforts by TRI Center to notify Mr. Pimentel in advance of this discharge;

¹ Probation filed a Second Amended Violation Report on October 30, 2023, which added additional specifications and did not modify the seventh specification relating to Mr. Pimentel's treatment at TRI Center.

Hon. Alvin K. Hellerstein
February 12, 2024
Page 2 of 2

- All records reflecting Mr. Pimentel's reenrollment at TRI Center following his September 13, 2023 discharge;
- All records reflecting assessments, testing, and/or evaluations of Mr. Pimentel in connection with his treatment at TRI Center; and
- All treatment records.

We respectfully request that Probation produce such records in advance of the February 29 revocation hearing in this matter.²

We appreciate the Court's consideration.

Respectfully submitted,

/s/ Justine Harris

Justine Harris

cc: AUSA Frank Balsamello (by ECF)
AUSA Joseph Rosenberg (by ECF)
Probation (by email)

SO ORDERED.

Alvin K. Hellerstein, U.S.D.J.
February __, 2024

² Once in possession of the files, the defense will disclose them to the government pursuant to its obligations under Federal Rule of Criminal Procedure 16(b).